

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

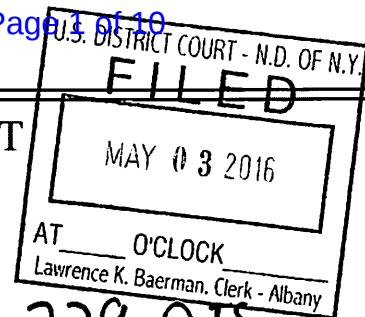
UNITED STATES OF AMERICA

v.

George Muzio Jr.

Defendant

Case No. 1:16-MJ-229-DJS



## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 3, 2016 in the county of Albany in the Northern District of New York the defendant violated:

*Code Section*  
18 USC 2252A(a)(5)(b)

*Offense Description*  
Possession of Child Pornography

This criminal complaint is based on these facts:  
See Attached Affidavit

☒ Continued on the attached sheet.

A handwritten signature in cursive script, appearing to read "Todd Turner".

Complainant's signature

HSI SA Todd Turner

Printed name and title

Sworn to before me and signed in my presence.

Date: May 3, 2016

City and State: Albany, New York

A handwritten signature in cursive script, appearing to read "Daniel J. Stewart".

Judge's signature

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Todd Turner, being duly sworn, depose and state:

**I. INTRODUCTION**

1. I am a Special Agent (SA) within the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and have been assigned to the Office of the Resident Agent in Charge, Albany, NY, since June 2002. My duties include investigating criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography in violation of 18 U.S.C. §§ 2252 and 2252A. I have completed the Special Agent Transition Training Program and Journeymen Training at the Federal Law Enforcement Training Center. I completed Customs Basic Enforcement Training in Albany, NY. During both basic training, and subsequent training, I received instruction on conducting online child pornography investigations. I have also been the affiant for and participated in the execution of numerous Federal search warrants in child pornography investigations.

2. This affidavit is made in support of an application for a criminal complaint charging George Muzio Jr. with violations of Title 18, United States Code § 2252A(a)(5)(b) (possession of child pornography).

3. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that George Muzio Jr. has committed violations of 18 U.S.C. § 2252A.

## II. THE INVESTIGATION

4. On November 10, 2015, HSI Special Agent Timothy Losito, Massena Field Division, using a computer connected to the Internet, utilized a publicly available Peer to Peer (P2P) file sharing program from the HSI Massena office. SA Losito used settings in the program to only include the IP address 72.231.147.48 because it was associated with a file of investigative interest to child pornography investigations on the BitTorrent network. The BitTorrent network is a P2P file sharing network in which users must obtain BitTorrent software and install it on a computer or other electronic device. When the BitTorrent software is running and the device is connected to the internet, the user will be able to download files from other users on the network and to share files from their device with other BitTorrent users.

5. At various times on December 29, 2015, January 6, 2016, and January 19, 2016 SA Losito successfully downloaded 3 files of the child pornography files IP address 72.231.147.48 was offering. These files were viewed by your affiant, are available for the Court's review upon request, and are described as follows:

a. On December 29, 2015 at 1810 hrs. (UTC), Special Agent Losito successfully completed the download of a file entitled: **Webcam – 11yo Old Girl Masterbating On Cam, M&D Show 13yo Old Daughter – Part 2 – Vichatter Stickam Pthc Ptsc (seleccionado).mpg**. This video depicts a girl who appears to be 10-12 years old, sitting nude in a chair with her legs spread masturbating by rubbing her hands in and around her genital area for the first 52 seconds. The next 70 seconds this video depicts a girl who appears to 14-16 years old standing with a towel on. An adult male takes the towel off her exposing her breast and rubs them. He puts the towel back on her and she walks away while he sticks one

of his hands down his hands down the front of his pants. This video file is two minutes and two seconds in length.

b. On January 6, 2016, at 1204 hrs. (UTC), Special Agent Losito successfully completed the download of a file entitled: **!!! New Pthc – 11yo Evelyn 2010 – Part 2!!! – Pedofilia em Videira- Santa Catarina – Brasil – denunciem esse canalha.avi**. This video depicts a girl who appears to be 10-12 years old, kneeling in front of an adult male with his penis exposed and she masturbates him. This video file is thirty-four seconds in length.

c. On January 19, 2016, at 2306 hrs. (UTC), Special Agent Losito successfully completed the download of a file entitled: **(Pthc Kidcam Lolifuck) Daddy Seduced By His 14yo Daughter To Cum Inside Her Pussy On Cam (2015).avi**. This video is dual video that depicts a girl who appears to be 10-12 years old with her breast exposed and in the corner of the video a male is masturbating. The camera is zoomed in on the male's genital area. The camera on the female pans down to her genital area where she is masturbating with a metal object inserted into her genital area. Around that time the masturbating male ejaculates. This video file is thirty-eight seconds in length.

7. Furthermore, on December 14, 2015, I contacted Colonie Police Investigator Chris Smith to assist in the child pornography investigation using his undercover computer located at Colonie Police Department, Colonie, NY. The computer used by Investigator Smith was connected to the Internet and he initiated an undercover online investigation utilizing a commercially available peer-to-peer (P2P) software application and other law enforcement tools to automate the browsing and downloading of suspected child pornography files from a list of IP

addresses that are download candidates for suspected child pornography files. The computer program is enhanced to permit downloading from a single source.

8. Investigator Smith used settings in the program to only include the IP address 72.231.147.48 because it was associated with a file of investigative interest to child pornography investigations on the Shareaza network. The Shareaza network is another P2P file sharing network in which users must obtain Shareaza software and install it on a computer or other electronic device. When the Shareaza software is running and the device is connected to the internet, the user will be able to download files from other users on the network and to share files from their device with other Shareaza users.

9. On March 7, 2015, June 18, 2015, July 12, 2015, and January 3, 2016, Investigator Smith successfully downloaded four of the child pornography files IP address 72.231.147.48 was offering. Each file was downloaded directly from this IP address. These files were viewed by your affiant, are available for the Court's review upon request, and described as follows:

a. On March 7, 2015, between 1755 hrs., and 1816 hrs. (EASTERN), Investigator Smith successfully completed the download of a file entitled: **KIDCAM !!! GEIL !!! NICE LITTLE TITS !!! – [Stickam] 13Yo Env Cutiepie Smotri.avi**. This video depicts a girl who appears to be 12-14 years old, lying in bed fully clothed viewing a computer webcam. She bends over displaying the thong underwear on her buttocks, lifts up her shirt displaying bear stomach and bra, and then lifts her shirt and bra exposing her breast. The child takes her bra off and stands closer to the camera for closer view of her breast. After that, she pulls down pants displaying her underwear and eventually takes

her pants completely off leaving only her underwear on. She turns around for explicit view of her buttocks and pulls her underwear to the side to reveal her genital area. This video file is eight minutes and thirty-nine seconds in length.

b. On June 18, 2015, between 1117 hrs., and 1209 hrs. (EASTERN), Investigator Smith successfully completed the download of a file entitled: **Stickam Webcam PT – sami, 12yo in Braces Shows Tits Killer Body.avi**. This video depicts a girl who appears to be 12-14 years old, sitting in a chair with a shirt and shorts on. Standing up, she pulls the shirt up display her breast and pulls her shorts down to reveal her vagina. She stands closer to the camera and fondles her breast. This video file is three minutes and one second in length.

c. On July 12, 2015, between 1321 hrs., and 1418 hrs. (Eastern), Investigator Smith successfully completed the download of a file entitled: **Pthc I'm the only one sucking dad.avi**. This video depicts a girl who appears to be between 10-12 years old, performing oral sex on an adult male in the woods. This video file is thirty seconds in length.

d. On July 3, 2016, between 0236 hrs., and 0331 hrs. (Eastern), Investigator Smith successfully completed the download of a file entitled: **Pthc – 13Yo Boy Licks A Very Hot 11Yo Pussy – Great – With Sound – 6S.flv**. This video depicts what appears to be the vagina of an 8-10 years old girl's vagina being licked by a male. This video file is 6 seconds in length.

10. On March 8, 2016, I served a Department of Homeland Security summons upon Time Warner Cable, the assigned internet service provider for IP address 72.231.147.48, requesting subscriber information for IP address 72.231.147.48 used at the date and time of the

downloads by Special Agent Losito. On March 9, 2016, I received a reply from Time Warner Cable that the subscriber for IP address 72.231.147.48 was Cindy Muzio, 282 Central Avenue, Apartment 1, Cohoes, NY, 12304. On March 18, 2016, I served a Department of Homeland Security summons upon Time Warner Cable, the assigned internet service provider for IP address 72.231.147.48, requesting subscriber information for IP address 72.231.147.48 used at the date and time of the downloads by Investigator Smith. On March 21, 2016, I received a reply from Time Warner Cable that the subscriber for IP address 72.231.147.48 was Cindy Muzio, 282 Central Avenue, Apartment 1, Cohoes, NY, 12304, for the download that occurred on January 3, 2016.

11. Based upon this information, your affiant obtained a Search Warrant from this Court for said property.

12. On May 3, 2016, the aforementioned search warrant was executed at 282 Central Avenue, Apartment 1, Cohoes, NY, 12304. Upon arrival, Special Agent Alex Segura located George Muzio Jr. in a bedroom on the first floor of the home. I am informed that Special Agent Tim Losito recovered an Acer laptop computer, serial number LXPY90207/05/0E/562000, in that bedroom directly on the floor next to the bed. The other occupants of the home included George Muzio Jr.'s wife, Jennifer Muzio Gaston, who was outside walking, George Muzio Sr., who had left for work and returned to the home after Jennifer Muzio Gaston called him and asked him to return to the home, and Cindy Muzio, who answered the door upon arrival. Upon speaking with the occupants, I learned that George Muzio Sr. and Cindy Muzio are George Muzio Jr.'s parents and reside in the upstairs bedrooms. In addition, there were two minor boys living in the home who are George Muzio Jr.'s sons. They reside in two bedrooms on the first floor.

13. After obtaining the Acer laptop computer, serial number LXPY90207/05/0E/562000 from George Muzio Jr's room, Special Agent Losito performed a forensic preview of the computer and located over 100 videos of child pornography that were saved in a downloads folder entitled "Juniors." These files are available for the Court's review upon request, and three are described as follows:

a. **Child Ptsc Twins Hotlols - 11Yo 12Yo Banheiro(Vick) Time 2Girls Dark Studio -**

**Pedo-Lsm-12Yo** 48.7 mb in size 3:51 minutes in length: This video file depicts 2 pre-pubescent female children taking a bubble bath. The video focuses on the genitals of the children.

b. **! New ! (Pthc) Laura Mouth Pump And Swallows (2016\_01\_05 16\_11\_12 UTC)**

89.9 mb in size 4:34 minutes in length. This video depicts a female child on her back. An adult male inserts his penis in her mouth. She performs oral on sex him and he ejaculates in her mouth and face.

c. **13Yo Girls (Two Of Them) Fucked Good On Bed By Older Man - He Cums**

**Inside One Of Them!** Children 23.9 mb in size 1:48 min in length. This video depicts an adult male engaging in intercourse with a female child. The child is on her back and the adult male appears to be vaginally penetrating her. The video then changes to an adult male engaging in intercourse with an "age difficult" female.

14. In addition, on the computer, SA Losito found two documents, a meal plan and exercise plan that had George Muzio Jr.'s name on them. These documents were saved on the desktop homepage.

15. Agent Segura interviewed George Muzio Sr. who stated in substance that he had no knowledge of child pornography, that he and his wife, Cindy Muzio, and daughter in law



Jennifer Gaston Muzio, and his two grandchildren were not home during the day because they had work and school but that George Muzio Jr. was home all day because he was unemployed. He also stated that he did not have knowledge of computers and did not go into George Muzio Jr.'s room nor did he know whether he owned a laptop.

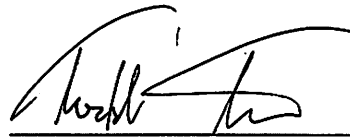
16. Special Agent Jeanette Torres interviewed Cindy Muzio who stated in substance that she is aware that George Muzio Jr. has a laptop but she has not used it in years. She further stated that she has no knowledge of peer to peer networks or downloading. She stated that she and her husband, George Muzio Sr. use the same computer that they keep upstairs. She stated that she and George Muzio Sr. and Jennifer Gaston Muzio are at work during the day and her grandchildren are at school. She stated that George Muzio Jr. is unemployed and is home all day.

17. Agent Torres interviewed Jennifer Gaston Muzio, George Muzio Jr.'s wife, who stated that she has no knowledge of computers and relies on George Muzio Jr. to fix any computer issues. She stated that she does not use the Acer laptop computer, and that it belongs to George Muzio Jr. She further stated that George Muzio Jr. is unemployed and is home all day, while she goes to work.

18. Agent Torres spoke to the two minor boys who stated that they are not allowed to use the Acer computer because their father, George Muzio Jr. told them they were not allowed to use it.

### **III. CONCLUSION**

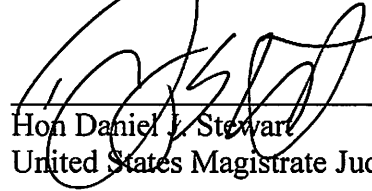
19. Based on the foregoing, I believe there is probable cause to conclude that George Muzio Jr. has knowingly possessed child pornography using a means and facility of interstate and foreign commerce, and in and affecting such commerce, in violation of Title 18 U.S.C. § 2252A(a)(5)(B).



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Todd Turner  
Special Agent  
HSI

Sworn and subscribed before me this  
3<sup>rd</sup> of May, 2016



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Hon Daniel J. Stewart  
United States Magistrate Judge